

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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IN RE WESTERN STATES WHOLESALE  
NATURAL GAS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

*Arandell Corp., et al. v. Xcel Energy Inc., et al.*

*NewPage Wisconsin System Inc., et al. v. CMS Energy Resource Management Company, et al.*

MDL 1566  
CV-S-03-1431-RCJ-PAL  
BASE FILE

Case No. 2:07-CV-01019-RCJ-PAL

Case No. 2:09-CV-00915-RCJ-PAL

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**STIPULATION AND JOINT MOTION FOR COURT TO SEPARATE CLAIMS  
AGAINST SETTLING DEFENDANTS EL PASO, CENTERPOINT AND GENON, AND  
RETAIN JURISDICTION OVER THOSE CLAIMS FOR THE PURPOSE OF  
APPROVING SETTLEMENTS**

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**WHEREAS**, in October 2018, plaintiffs in the above-captioned cases (the “Wisconsin Plaintiffs,” in the “Wisconsin Actions”) reached an agreement in principle to settle all their claims against the following Defendants:

- (1) El Paso Corporation (n/k/a El Paso LLC), and El Paso Merchant Energy, L.P. (n/k/a El Paso Marketing Company, L.L.C.) (collectively “El Paso”);
- (2) CenterPoint Energy Services, Inc., (“CenterPoint,” collectively with El Paso, the “Settled Defendants”); and
- (3) Reliant Energy, Inc. (n/k/a GenOn Energy, Inc.), and Reliant Energy Services, Inc. (n/k/a RRI Energy Services, LLC) (collectively “Reliant,” and with the Wisconsin Plaintiffs and Settled Defendants, “Parties”).

WHEREAS, the proposed class settlements would resolve all remaining claims by the Wisconsin Plaintiffs against the Settled Defendants, and thus would result, if approved, in the final and complete dismissal of the Wisconsin Plaintiffs' claims against the Settled Defendants;

WHEREAS, the Wisconsin Plaintiffs' separate settlement with Reliant, in the Bankruptcy Court of the Southern District of Texas (the "Bankruptcy Court"), when consummated, is conditioned on the dismissal of all the Wisconsin Plaintiffs' claims against Reliant in these Wisconsin Actions;

WHEREAS, the Reliant settlement only becomes effective when the separate class settlement between the Wisconsin Plaintiffs and CenterPoint here is finally approved;

WHEREAS, on January 14, 2019, the Court entered its Order granting motions for suggestions of remand filed in all remaining cases consolidated in this Court (ECF. No. 3105);

WHEREAS, this Court has successfully overseen several class settlements in this consolidated litigation over the last three years;

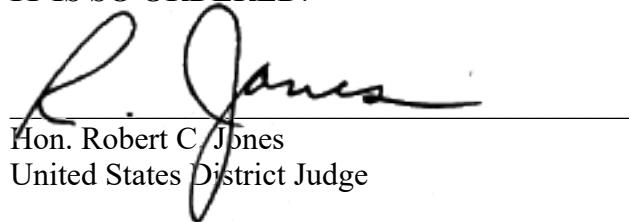
WHEREAS, the Parties accordingly contemplated and agreed as part of their settlements that this Court should retain the Wisconsin Plaintiffs' claims against the Settled Defendants and Reliant for purposes of settlement approval and consummating the settlements, thereby obviating any need to remand the Wisconsin Plaintiffs' claims against the Settled Defendants and Reliant to the transferor court for trial and avoiding unnecessary delay;

WHEREAS, the Parties believe that this Court's retention of jurisdiction over the Wisconsin Plaintiffs' claims against the Settled Defendants and Reliant will be the most effective means to complete consummation of those settlements quickly and to provide tens of millions of dollars in additional recovery to Wisconsin class members in the most expeditious manner possible;

WHEREAS, on February 1, 2019, the Wisconsin Plaintiffs filed their motion for preliminary approval of the class action settlements in the Wisconsin Actions with El Paso and CenterPoint (ECF No. 3109).

NOW THEREFORE, the Wisconsin Plaintiffs, Settled Defendants, and Reliant jointly and respectfully stipulate that this Court should retain jurisdiction over the Wisconsin Plaintiffs' claims in the Wisconsin Actions against the Settled Defendants and Reliant for the purpose of overseeing the class settlement approval process, and thus request that the Court consent to retain jurisdiction over these settlements for the purposes of (a) overseeing the class settlement approval process with El Paso and CenterPoint and the dismissal of claims against Reliant, and (b) if the settlements satisfy the requirements for final approval, entering final judgments fully resolving and dismissing the Wisconsin Plaintiffs' claims in the Wisconsin Actions against the Settled Defendants and Reliant.

**IT IS SO ORDERED:**



Hon. Robert C. Jones  
United States District Judge

DATED: February 18, 2019

Respectfully submitted,

*On behalf of the Wisconsin Plaintiffs*

/s/ Ryan M. Billings

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